

REMARKS

With entry of the current amendment, claims 1-16 have been cancelled and new claims 49-55 have been added. Thus, claims 17-55 are pending in the application.

The new claims add no new matter and are fully supported in the application.

Claims 49 and 50 recite 90% identity and 95% identity, respectively, to a reference amino acid sequence. Support for the amendment can be found, *e.g.*, at page 14, paragraph 66.

Claims 51-53 recite a polypeptide comprising at least 50 (claim 51), 100 (claim 52), or 200 (claim 53) contiguous amino acids of a reference sequence. Support for the amendment can be found, *e.g.*, on page 22, paragraph 93.

Claims 54 and 55 recite at least 100 and at least 600 contiguous nucleotides, respectively, of a reference sequence. Support for the amendment can be found, *e.g.*, on page 22, paragraph 93.

Restriction Requirement

In response to the Restriction Requirement mailed July 1, 2003, Applicants elect Group XI, drawn to a nucleic acid related to SEQ ID NO:17, claims 17-25 and new claims 49-55.

The foregoing election is made with traverse. According to the MPEP, where claims can be examined together without undue burden, the Examiner must examine the claims on the merits even though they are directed to independent and distinct inventions. See, the MPEP at 803.01. In establishing that an “undue burden” would exist for co-examination of claims, the Examiner must show that examination of the claims would involve substantially different prior art searches, making the co-examination burdensome. Applicants respectfully submit that examination of groups together would not create an undue burden and respectfully request withdrawal of the restriction requirement in this case. For example, the claims in Group XI are drawn to nucleic acids that encode polypeptides as set forth in Group XIII. A prior art search of Group XI claims would necessarily encompass the subject matter of Group XIII

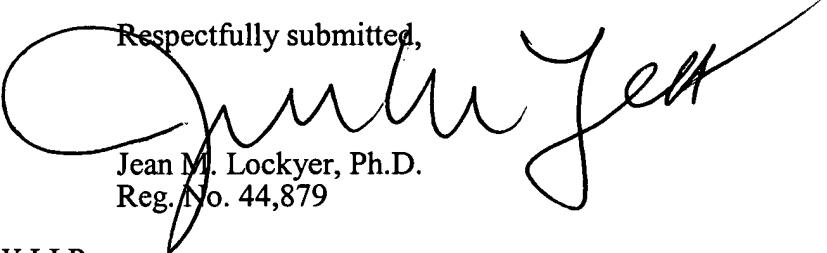
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claims. Similarly, polypeptides encoded by the nucleic acids of Group XI are used in the methods of identifying modulators of signal transduction set forth in the claims of Group XXII. Applicants therefore respectfully request reconsideration of the restriction requirement in this application.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


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